IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

TUESDAY, THE 10TH JULY 2007 / 19TH ASHADHA 1929

MFA.No. 645 of 2000(A)

OPMV.177/1995 of MOTOR ACCIDENT CLAIMS TRIBUNAL, OTTAPALAM
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APPELLANT: PETITIONER

SANDEEP, (MINOR), REP.BY GUARDIAN FATHER,
K.BHASKARAN NAIR, RESIDING AT
KIZHAKKEKUTTATHIL HOUSE
NAGARIPPURAM POST, MANNUR

BY ADV. SRI.V.CHITAMBARESH

RESPONDENTS: RESPONDENTS 1 AND 2/SUPPL.3RD RESPONDENT
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1. **P.A.ABDUL RASHEED, S/O/ A.T.ABDU,**
RESIDING AT KURICHAMKULAM,
KALLEKKAD POST, PALAKKAD.

2. **THE ORIENTAL INSURANCE COMPANY LIMITED,**
PALAKKAD.

3. **M.A.NAAZAR, SUBAIDA SAW MILL,**
2/82, KURICHANKULAM, KALLEKKAD P.O., PALAKKAD.

BY ADV. SRI.MATHEWS JACOB (SR.) - R2
SRI.P.JACOB MATHEW

THIS MISC. FIRST APPEAL HAVING COME UP FOR ADMISSION ON 10/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.B.KOSHY & K.P.BALACHANDRAN, JJ.

M.F.A.No.645 OF 2000

Dated 10th July, 2007

JUDGMENT

Koshy,J.

Appellant at the age of 10 met with a motor accident due to the negligence of the driver of the vehicle insured by the second respondent insurance company. There was a femur fracture. Being a child, difficulties due to fracture will be cured subsequently. Tribunal has awarded Rs.12,000/= for disability, Rs.8,000/= for pain and suffering, Rs.8,500/= for injuries and Rs.2,000/= for loss of enjoyment of amenities apart from the amount awarded for reimbursement of actual expenses and total compensation awarded was Rs.41,922/= with 9% interest from the date of application till deposit. Considering the nature of injuries, age of the claimant and total compensation awarded, we are of the opinion that no interference is required in the award as just and reasonable compensation was awarded.

The appeal is dismissed.

J.B.KOSHY
JUDGE

K.P.BALACHANDRAN
JUDGE

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